

REMARKS

Claims 1-22, 24-30 remain pending in this application

Claim 23 has been cancelled and rewritten as new Claim 30.

Claims 1 and 18 have been amended to clarify a property of a device is synchronized.

Claim 24 has been amended to depend from Claim 30, instead of now cancelled Claim 23.

Claims 28-30 are new. No new matter was added.

The Applicant appreciates the time and consideration the examiner afforded during the recent personal interview. The amendments and remarks herein are intended to reflect the understandings reached at the interview.

Rejection Under 35 U.S.C. § 103(a)

Claims 1-27 were improperly rejected as being unpatentable over Fischer et al. (U.S. Patent No. 6,295,455) in view of Anderson et al. (U.S. Publication No. 2004/0203429) and Stilp et al. (U.S. Patent No. 6,334,059).

As discussed in the interview, neither Fischer, Anderson nor Stilp are directed to frequency hopping signals, their acquisition based on information retrieved from the forward channel nor their geo-location using the reverse hopping sequence signal.

Claim 1 recites :

A method for generating an estimate of the geo-location of a frequency hopping mobile appliance operating within a wireless communication system with a plurality of base stations and having a network overlay geo-location system with a plurality of wireless location sensors, comprising the steps of:

monitoring at the wireless location sensors a signal on a forward channel between one of the plurality of base stations and the mobile appliance;

retrieving at said wireless location sensors synchronization information from the forward channel;

synchronizing a property of said wireless location sensors with a reverse channel between the mobile appliance and the base station as a function of the synchronization information from the forward channel to thereby receive at said wireless location sensors a signal on the reverse channel;

measuring at said wireless location sensors an attribute of the reverse channel signal; and,

generating an estimate of the geo-location of the mobile appliance based in part upon the measured attribute.

The limitations of "monitoring at the wireless location sensors a signal on a forward channel between one of the plurality of base stations and the mobile appliance; retrieving at said wireless location sensors synchronization information from the forward channel; synchronizing a property of said wireless location sensors with a reverse channel between the mobile appliance and the base station as a function of the synchronization information from the forward channel to thereby receive at said wireless location sensors a signal on the reverse channel" are not found in the cited references.

The Office improperly relies upon Fischer to provide a teaching of retrieving synchronization information from the forward channel. Fischer does not monitor the forward channel and the Office acknowledges this stating "Fischer fails to disclose of monitoring at the wireless location sensors a signal on a forward channel between one of the plurality of base stations and the mobile appliance." Therefore, the rejection is improper on its face.

The Office also improperly relies upon Andersen to disclose the step of "monitoring at the wireless location sensors a signal on a forward channel between one of the plurality of base stations and the mobile appliance". Andersen discloses monitoring of the downlink signals by the LMU only with respect to emergency services and Andersen does not disclose the use of frequency hopping signals. In addition, the motivation provided by the Office is improper. The Office states the combination would

be obvious for the purpose of detecting movement of the location sensors. Neither, Andersen nor the instant application support such a purpose nor would such a purpose be achieved with the suggested combination. The rejection is improper for at least these reasons and thus should be withdrawn.

The Office acknowledges that the combination of "Fischer and Anderson does not teach as a function of the synchronization information from the forward channel to thereby receive at said wireless location sensors a signal on the reverse channel". The Office improperly attempts to use Stilp to provide such a function.

The Office improperly states that "Stilp teaches as a function of the synchronization information from the forward channel to thereby receive at said wireless location sensors a signal on the reverse channel" and cites col. 41, ll. 11-41. However the "synchronization" referenced by Stilp is the simple matching of the mobile appliance with the appropriate voice channel and not the synchronization required to obtain a reverse hopping sequence signal as shown below.

Stilp states:

"The timing on this command/response message set is very critical since voice channel handoffs can occur quite frequently in wireless communications systems. That is, the Wireless Location System will locate any wireless transmitter that is transmitting on a particular channel-therefore the Wireless Location System and the wireless communications system must jointly be certain that the identity of the wireless transmitter and the voice channel assignment information are in perfect synchronization" Col. 41, ll. 10-18

Furthermore, the identity of the wireless transmitter and voice channel are obtained by a query in Stilp and not from information retrieved from monitoring the forward channel as required by the claim. Stilp states:

"The Wireless Location System may, for example, query the voice channel assignment information for a particular wireless transmitter, and then again query the voice channel assignment information for that same wireless transmitter," Col. 41, ll. 20-24

Neither Fischer, Anderson nor Stilp address the claim features relating to frequency hopping signal, monitoring the forward channels for synchronization information retrieving synchronization information and using the synchronization information to synchronizing a property of the sensors as to acquire the reverse frequency hopping signal as generally required by the claims. Moreover, the motivation used to combine, by the Office, could not be achieved with the proposed combination. The Office has failed to establish a proper prima facie case of obviousness and thus the rejections should be withdrawn.

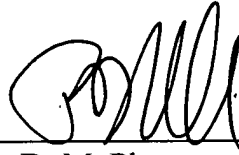
The rejections of independent claims 9, 18 and 23 (now rewritten as Claim 30) fail for the same reasons as demonstrated with respect to Claim 1. Furthermore, the rejections of Claims 2-8, 10-17, 19-22, 24-29 are improper, irrespective of the additional limitations recited therein as they depend from independent Claims 1, 9, 18 and 23(30).

CONCLUSION

Applicant respectfully submits that pending Claims 1-30 are in condition for allowance. A notice to this effect is respectfully requested. If any point remains that is deemed best resolved through a telephonic conversation, the Office is hereby requested to contact the undersigned directly.

The Office is requested and authorized to charge any fee associated with this application to Deposit Account No. 04-1679.

Respectfully submitted,



Patrick D. McPherson

Reg. No. 46,255

DUANE MORRIS LLP
505 9th Street, N.W., Suite 1000
Washington, D.C. 20004
Telephone: (202) 776-7800
Facsimile: (202) 776-7801

Dated: October 7, 2008